

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

RAKEIM T. RICHARDSON,

Defendant.

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UNDER SEAL

Case No. 1:21-mj-355

AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT AND ARREST WARRANT

Your Affiant, Rebekah Lipsky, being duly sworn, deposes and states as follows:

INTRODUCTION

1. Your Affiant is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) and has been so employed since September 2018. Your Affiant is currently assigned to the ATF Washington Field Division’s Group V. This Group investigates the firearms used in violent crimes in Washington, D.C., which also may involve the illegal trafficking of firearms. Prior to joining the ATF, Your Affiant was a Trooper with the Maryland Department of the State Police for almost seven years.

2. As an ATF agent, Your Affiant has received training and experience in interviewing and interrogation techniques, surveillance techniques, arrest procedures, search and seizure, and asset forfeiture. Your Affiant has also been involved in gang, organized crime, money laundering, firearms trafficking, firearms offenses and drug investigations, including the possession with intent to distribute and distribution of controlled substances, and conspiracies and offenses associated with the foregoing criminal offenses which are prohibited by Title 21, United State Code, Sections 802(32), 813, 841(a)(1), 846, 848(e)(1)(A), and Title 18, United States Code, Section 922(a), 922(g), 924(c), 1956 and 1957, and others.

3. Through training and experience, Your Affiant has been involved in the use of the following investigative techniques: interviewing informants and cooperating witnesses; conducting physical surveillance; consensual monitoring and recording of both telephonic and non-telephonic communications; analyzing caller identification system data; and executing search warrants that have led to substantial seizures of narcotics, firearms, and other contraband. Based on training and experience, Your Affiant is familiar with the methods used in furtherance of a variety of criminal activities.

4. The facts and information contained in this affidavit are based upon Your Affiant's personal knowledge, information obtained from federal and state law enforcement officers, and information obtained from interviews and analysis of reports. All observations not personally made by Your Affiant were relayed by the individuals who made them or are based on Your Affiant's review of the records, documents, and other physical evidence obtained during this investigation. This affidavit contains information necessary to support probable cause. The information contained in this affidavit is not intended to include every fact and matter observed by You Affiant or known to the government.

5. I submit this affidavit in support of a criminal complaint charging RAKEIM TIWAN RICHARDSON ("RICHARDSON") with making false statements with respect to the purchase of firearms, in violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2, among other crimes.

FACTS SUPPORTING PROBABLE CAUSE

6. Through training and experience, Your Affiant is aware that federal law prohibits federal firearms licensees (“FFLs”) from selling a firearm to a non-licensee purchaser “unless the [FFL] records the transaction on a firearms transaction record, Form 4473.” 27 C.F.R. § 478.124(a). Your Affiant is further aware that the law requires FFLs to retain “as a part of the required records, each Form 4473 obtained in the course of transferring custody of the firearms.” 27 C.F.R. § 478.124(a). Accordingly, any false statement a purchaser makes on a Form 4473 pertains to information an FFL is required by law to maintain.

A. RICHARDSON’s Firearms Purchases in EDVA

7. On July 15, 2018, RICHARDSON purchased a Glock, model 33, .357 caliber pistol, bearing serial number BGCX833 from SSG Tactical, an FFL, at a gun show located in Hampton, Virginia. On November 1, 2020, 840 days later, this firearm was recovered in the possession of E.J. On November 1, 2020, a Maryland State Police trooper conducted a traffic stop and, during a probable cause search of the vehicle, located the loaded firearm, which contained 13 rounds of ammunition in its magazine, 2.2 grams of marijuana, and a digital scale with suspected marijuana residue. During the July 15, 2018 transaction, RICHARDSON provided phone number 240-817-9323 as a preferred method of contact. According to Call Detail Records obtained by law enforcement, RICHARDSON’S 240-817-9323 phone number communicated with a known phone number for E.J. thirty-six times between June 8, 2019 and January 2, 2020. Based on Your Affiant’s training and experience, the recovery of the firearm outside of the state where the firearm was purchased along with the simultaneous recovery of contraband, and the connection between RICHARDSON and E.J., is indicative of an individual who is involved in firearms trafficking.

8. On December 28, 2018, RICHARDSON purchased a Glock, model 27, .40 caliber pistol, bearing serial number BDAC775 from Dominion Defense, an FFL, at a gun show located in Chantilly, Virginia. On January 6, 2020, 375 days later, this firearm was recovered by the District of Columbia's Metropolitan Police Department from R.R., who is a convicted felon. The firearm was recovered in connection with R.R.'s arrest for a homicide that occurred in Temple Hills, Maryland. R.R. and RICHARDSON are half-brothers. R.R. has been incarcerated since his arrest. Based on Your Affiant's training and experience, this recovery with a short time to crime and outside of the state where the firearm was purchased, along with the familial relationship between RICHARDSON and his half-brother R.R., who is a felon, is indicative of an individual who is involved in firearms trafficking.

9. On November 24, 2019, RICHARDSON purchased a Glock, model 27, .40 caliber pistol, bearing serial number ADXN021 from Trojan Arms and Tactical, an FFL, at a gun show located in Chantilly, Virginia. On January 13, 2020, 50 days later, this firearm was recovered by Prince George's County Police Department from a convicted felon in Prince George's County, Maryland. The firearm was recovered during a traffic stop that yielded suspected marijuana and suspected crack cocaine. Based on Your Affiant's training and experience, this recovery with a short time to crime that occurred outside of the state where the firearm was purchased and which involved a convicted felon, along with the simultaneous recovery of contraband, is indicative of an individual who is involved in firearms trafficking.

10. Your Affiant conducted a search of the National Crime Information Center ("NCIC") Gun Query for all three aforementioned firearms (i.e., those bearing serial numbers BDAC775, ADXN021, and BGCX833), which was negative. This is indicative of firearms that have not been reported lost or stolen and therefore have not been entered into the NCIC database.

11. Your affiant reviewed RICHARDSON's firearm Multiple Sale Summary Reports from the ATF National Tracing Center and learned that between July 14, 2018, and July 24, 2021, RICHARDSON purchased eleven (11) firearms (including the three firearms mentioned above) during eight (8) separate transactions at various FFLs and gun shows within the Eastern District of Virginia. Specifically, RICHARDSON purchased two firearms on July 14, 2018, at a gun show in Hampton, Virginia; one firearm on July 15, 2018, at a gun show in Hampton, Virginia; one firearm on December 28, 2018, at a gun show in Chantilly, Virginia; two firearms on July 24, 2019, from an FFL in Vienna, Virginia; two firearms on November 24, 2019 (during two different transactions), at a gun show in Chantilly, Virginia; one firearm on February 16, 2020, at a gun show in Chantilly, Virginia; and two firearms on July 24, 2021, at a gun show in Chantilly, Virginia.

12. In addition, RICHARDSON also attempted, but failed, to purchase three additional firearms.

13. Specifically, on August 21, 2020, RICHARDSON attempted to purchase a Rock River Arms, LAR-15 Pistol bearing serial number AV4008342 from Dominion Defense, an FFL, at a gun show in Chantilly, Virginia. This transaction was delayed due to a National Instant Criminal Background Check System ("NICS") flag on RICHARDSON. The same day, RICHARDSON called Dominion Defense to check on the status of his NICS check. The transaction was ultimately cancelled, and RICHARDSON was not allowed to complete the purchase of this firearm.

14. The next day, on August 22, 2020, RICHARDSON attempted to purchase a Glock 26, 9mm pistol, bearing serial number BPTK483 and a Spikes Tactical, ST 15, 5.56 caliber rifle bearing serial number SCR071993 from Liberty Manufacturing, an FFL, at a gun show in

Chantilly, Virginia. This transaction was denied due to Virginia state laws prohibiting the sale of more than one pistol within a 30-day period to a person who does not hold a Concealed Carry Permit.

15. For each of the eleven (11) firearm purchases, RICHARDSON was required to truthfully complete ATF Firearms Transaction Record, Form 4473 (“Form 4473”) and present a valid Virginia identification. For each of the firearm purchases, as well as the attempted firearm purchases, RICHARDSON completed a Form 4473. On each Form 4473, RICHARDSON listed his address as being on Lancer Lane, in Hampton, Virginia. Additionally, during each of the firearm purchases as well as the attempted firearm purchases, RICHARDSON provided a Virginia Driver’s license that showed the same home address on Lancer Lane, in Hampton, Virginia. On each occasion, RICHARDSON responded “Yes” to the question on the ATF Form 4473 that he was the actual buyer of the firearms. On each ATF Form 4473, RICHARDSON certified by signature that his answers on the form were “true, correct, and complete,” and that he understood that “making any false oral or written statement, or exhibiting any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony under Federal law.”

B. RICHARDSON’S True Residence from at least August 1, 2018 to the present is in Maryland

17. The address that appears on RICHARDSON’S Virginia driver’s license showing an address on Lancer Lane, in Hampton, VA is a military dwelling unit located on Langley Air Force Base. Leasing documents obtained from the Military Housing Office show that N.A. was listed as the tenant at this address from August 9, 2016 until August 1, 2018. N.A. is an Active Duty Technical Sergeant in the United States Air Force and, at the time, was married to RICHARDSON. On the leasing documents, RICHARDSON is listed as N.A.’s spouse and

roommate. N.A.'s lease ended on August 1, 2018, due to a permanent change of station to Fort Meade, Maryland.

18. According to leasing documents obtained by Your Affiant, N.A. and RICHARDSON began residing at an address located on Long Loop on Fort Meade Military Base, in Maryland, on August 28, 2018 until May 28, 2019. Maintenance records obtained in connection with this address show that RICHARDSON placed phone calls for maintenance requests at this address between September 2018 and April 2019.

19. According to leasing documents obtained by Your Affiant, RICHARDSON signed a lease at Seven Oaks Apartments, located in Odenton, Maryland, for a lease covering the time period of July 2019 through June 2020. RICHARDSON provided his Virginia Driver's license as a form of identification, although he also claimed on his application to have had one Maryland address since January 2010. According to the Maryland Motor Vehicle Administration, RICHARDSON surrendered his Maryland Identification Card to Virginia on September 13, 2017. On his lease application, RICHARDSON listed his employer as the Maryland State Government. RICHARDSON ended his lease early, on February 29, 2020.

20. According to leasing documents obtained by Your Affiant, an individual by the name "Raheem Richardson" signed a lease at Dartmoor Apartments, located in Hanover, Maryland, for a lease covering the time-period of February 8, 2020 through August 7, 2021. There is probable cause to believe that "Raheem Richardson" is RICHARDSON.

21. In the leasing documents for Dartmoor Apartments, "Raheem Richardson" provided, among others, a social security number and a Maryland driver's license number. Your Affiant obtained a picture of the Maryland driver's license that was used to apply for the apartment lease. The picture appears to be RICHARDSON, even though the name on the license is "Raheem

Richardson.” In addition, the customer identifier on the driver’s license shows a “C” followed by a number. In Maryland, the customer identifier begins with the letter of the individual’s last name. As a result, “Raheem Richardson’s” driver’s license should have begun with the letter “R.”

22. According to the Maryland Motor Vehicle Administration, the name “Raheem Richardson” is not on file. Neither is the social security number nor the driver’s license number that was provided as belonging to “Raheem Richardson.” As a result, law enforcement believes that the Maryland driver’s license provided by “Raheem Richardson” is a fake identification card that was provided by RICHARDSON.

23. In addition to this information, Dartmoor Apartments also has a record of a vehicle and registration plate information belonging to “Raheem Richardson,” specifically, a blue Hyundai Sonata with Virginia Registration Number UYE9388. This registration information does not belong to RICHARDSON nor does it belong on a Hyundai Sonata.

24. Surveillance conducted by Your Affiant in the parking garage of Dartmoor Apartments located a blue Hyundai Sonata with Virginia Registration Number UYV3450. According to the Virginia Fusion Center, this vehicle is registered to RICHARDSON. As a result, there is probable cause to believe that RICHARDSON provided Dartmoor Apartments with inaccurate information regarding his vehicle.

25. According to leasing documents obtained by Your Affiant, an individual by the name of “Raheem Richardson” signed a lease at The Arundel Apartments, located on Arundel Mills Boulevard in Hanover, Maryland. The lease covers the time-period of August 9, 2021, through November 8, 2022.

26. During surveillance at The Arundel Apartments, Your Affiant located RICHARDSON’S blue Hyundai Sonata with Virginia Registration tag UYV3450 in the secured

portion of the parking garage. Surveillance on this vehicle revealed a black male, consistent with RICHARDSON'S physical features, exiting the apartment building and driving away in the vehicle.

27. Cell site data for phone numbers associated with RICHARDSON, specifically, the aforementioned 240-817-4174 number ("the 4174 Number") as well as the phone number 240-817-9323 ("the 9323 Number") also demonstrate that RICHARDSON did not reside in Virginia when he purchased firearms between at least August 2019 and July 2021.

28. Subscriber records obtained by ATF for the 9323 Number show that the registered account holder from November 27, 2017 through January 9, 2020 was RICHARDSON.

29. A preliminary analysis of the historical cell site data associated with the 9323 Number reveal that the majority of cell site activations associated with the 9323 Number based on voice calls, SMS transmissions and timing advance records occurred in Maryland. Specifically, there were approximately 8,131 total activations between August 20, 2019 and January 9, 2020. Of those 8,131 total activations, 2,518 activations reported a location. Of those 2,518 activations, approximately 97% of activations occurred in Maryland. The cell tower with the most activations with cell site location information provided by T-Mobile was located in Columbia, Maryland, and totaled approximately 400 activations. Only approximately 33 activations occurred in Virginia.

30. Cell site records show that on November 24, 2019, when RICHARDSON purchased two firearms, both of which were purchased at a gun show in Chantilly, Virginia, the 9323 Number activated cell towers in or around the Laurel and Beltsville, Maryland, areas between approximately 7:44 a.m. and 8:54 a.m. At approximately 10:57 a.m., the 9323 Number activated a cell tower in or around Chantilly, Virginia, the location of the gun show. The 9323

Number then activated towers in Maryland later that day, including at approximately 9:30 p.m. in or around Fort Meade, Maryland.

31. In addition, subscriber records obtained by ATF for the 4174 Number show that the registered account holder from January 9, 2020 through March 2, 2020 was RICHARDSON, and that the registered account holder starting on July 13, 2020 through January 6, 2021 is an individual who is possibly associated with RICHARDSON, whose name appeared on the caller ID when RICHARDSON contacted an FFL via phone. The registered account holder from January 6, 2021 to present is an individual who is associated to RICHARDSON through a credit card transaction at Showroom Shine in Maryland.

32. A preliminary analysis of the historical cell site data associated with the 4174 Number revealed that the majority of cell site activations based on voice calls, SMS transmissions and timing advance records occurred in Maryland. Specifically, there were approximately 20,385 total activations between January 9, 2020 and September 2, 2021. Of those 20,385 total activations, 14,897 activations reported a location. Of those 14,897 activations, approximately 97% of activations occurred in Maryland. The cell tower with the most activations with cell site location information provided by T-Mobile is located in Elkridge, Maryland, and totaled approximately 3,296 activations. Only approximately 96 activations occurred in Virginia.

33. Cell site records also show that on August 21, 2020, when RICHARDSON attempted to purchase one additional firearm at a gun show in Chantilly, Virginia, the 4174 Number activated cell towers in or around Elkridge, Maryland from approximately 8:28 a.m. to 4:14 p.m. before activating cell towers in or around Chantilly, Virginia, the location of the gun show, starting at approximately 6:26 p.m. The device did not activate another cell tower until 9:32 AM the following day, August 22, 2020, when it activated a cell tower in or around Jessup,

Maryland. Later that day, on August 22, 2020, when RICHARDSON attempted to purchase two additional firearms at the same gun show in Chantilly, Virginia, the device activated cell towers in or around Chantilly, Virginia, from approximately 1:34 p.m. to 4:39 p.m. The 4174 Number then activated a cell tower at approximately 4:45 p.m. in or around Wolf Trap, Virginia. The 4174 Number then activated towers in Maryland later that evening, including at approximately 5:54 p.m. in or around Elkridge, Maryland.

34. Cell site records show that on July 24, 2021, when RICHARDSON purchased two firearms at a gun show in Chantilly, Virginia, the 4174 Number activated cell towers in or around Chantilly, Virginia, the location of the gun show, starting at approximately 9:33 a.m. The 4174 Number then activated a cell tower at approximately 12:02 p.m. in or around Capitol Heights, Maryland. The device continued to activate towers in Maryland throughout the evening hours, to include 6:39 p.m. in or around Elkridge, Maryland.

C. ATF's interview of RICHARDSON

35. On October 14, 2021, ATF Special Agent Bernard Mensah and Your Affiant conducted an interview of RICHARDSON outside the parking garage of The Arundel Apartments. RICHARDSON initially lied to Special Agents about his identity and his residency, i.e., he denied that his name was Rakeem Richardson and stated that he did not live at that address. Eventually, RICHARDSON admitted to his identity and invited the agents to sit in his vehicle to discuss the ATF Form 4473s from his firearms purchases. RICHARDSON claimed that he has lived in his current apartment at the Arundel Apartments for a few months and that he lived on Langley Air Force Base immediately prior to moving into The Arundel Apartments.

36. When asked about the firearms that he purchased, RICHARDSON claimed that he sold two of the three recovered firearms on Armslist, a website dedicated to the purchase and sale

of firearms, and that he “should” have all the other firearms in a storage unit in Virginia. When confronted with inconsistencies in his statements, RICHARDSON ended the interview and said that he or his lawyer would call Your Affiant to arrange a time and place for law enforcement to verify the location of the firearms.

37. On October 18, 2021, RICHARDSON made contact with Your Affiant and expressed an interest in meeting with Your Affiant to conduct an inventory of his firearms on Thursday, October 21, 2021. The next day, on October 19, 2021, RICHARDSON provided Your Affiant with the address of a storage unit where RICHARDSON stated his firearms are stored. As of the date of this writing, Your Affiant plans to meet RICHARDSON at the storage unit, located at 20820 Century Corner Drive, in Ashburn, Virginia, at approximately 11:00 a.m. on October 21, 2021. Law enforcement plans to arrest RICHARDSON at that time.

[Continued on next page]


CONCLUSION

38. Based on the above facts, I submit that probable cause exists to believe that RICHARDSON made false statements in relation to the purchase of firearms, on or about July 24, 2021, in violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

Respectfully submitted,
REBEKAH
LIPSKY
Rebekah Lipsky
Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Digitally signed by REBEKAH
LIPSKY
Date: 2021.10.20 13:55:58
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Subscribed and sworn to in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone on October 20, 2021:


Digitally signed by Michael S.
Nachmanoff
Date: 2021.10.20 14:47:20 -04'00'

The Honorable Michael S. Nachmanoff
United States Magistrate Judge